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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

NEW UTILITY PATENT APPLICATION TRANSMITTAL <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket Number	21216-05686
	First Named Inventor	Stewart K. Hester
	Title	Distributed Processor Modules And Persistent Storage In An Optical Network
	Express Mail Label No.	EL482716555US

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification Total Pages <input type="text" value="28"/> <i>(preferred arrangement set forth below)</i> <input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. Total Sheets <input type="text" value="10"/> 113) 5. Oath or Declaration a. <input checked="" type="checkbox"/> New Declaration Total Pages <input type="text" value="2"/> <input checked="" type="checkbox"/> Executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 9. <input type="checkbox"/> Power of Attorney or Authorization of Agent 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Information Disclosure Statement & PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citation(s) A-C 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> 16. <input type="checkbox"/> 17. <input type="checkbox"/>
ADDRESS TO: Box Patent Application Commissioner for Patents Washington, D.C. 20231	

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: ____/____

Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number and Bar Code
Label



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Name (Print/Type)	Eileen A. Lehmann	Registration No. (Attorney/Agent)	39,272
Signature	<i>Eileen A. Lehmann</i>	Date	09/25/01

0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	Complete if Known	
FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$ 1644.00)		Application Number	Not yet known
		Filing Date	September 25, 2001
		First Named Inventor	Stewart K. Hester
		Group Art Unit	Not yet known
		Examiner Name	Not yet known
		Attorney Docket Number	21216-05686

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																								
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†] <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	3. ADDITIONAL FEES <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Large Entity</u> Fee Code/Fee</th> <th style="text-align: left;"><u>Small Entity</u> Fee Code/Fee</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">[]</td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td style="text-align: right;">[]</td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td style="text-align: right;">[]</td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td style="text-align: right;">[]</td></tr> <tr><td>116/\$390</td><td>216/\$195</td><td>Extension for response within second month[†]</td><td style="text-align: right;">[]</td></tr> <tr><td>117/\$890</td><td>217/\$445</td><td>Extension for response within third month[†]</td><td style="text-align: right;">[]</td></tr> <tr><td>118/\$1,390</td><td>218/\$695</td><td>Extension for response within fourth month[†]</td><td style="text-align: right;">[]</td></tr> <tr><td>128/\$1,890</td><td>228/\$945</td><td>Extension for response within fifth month[†]</td><td style="text-align: right;">[]</td></tr> <tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td style="text-align: right;">[]</td></tr> <tr><td>141/\$1,240</td><td>241/\$620</td><td>Petition to revive unintentionally abandoned application</td><td style="text-align: right;">[]</td></tr> <tr><td>142/\$1,240</td><td>242/\$620</td><td>Utility Issue Fee (Or Reissue)</td><td style="text-align: right;">[]</td></tr> <tr><td>143/\$440</td><td>243/\$220</td><td>Design Issue Fee</td><td style="text-align: right;">[]</td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td style="text-align: right;">[]</td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td style="text-align: right;">[]</td></tr> <tr><td>179/\$710</td><td>279/\$355</td><td>Request for Continued Examination (RCE)</td><td style="text-align: right;">[]</td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: right;">40 ✓</td></tr> <tr><td>146/\$710</td><td>246/\$355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td style="text-align: right;">[]</td></tr> <tr><td>149/\$710</td><td>249/\$355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td style="text-align: right;">[]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[]</td></tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (3)</td> <td style="text-align: right;">(\$ 40)</td> </tr> </tbody> </table>	<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	[]	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	[]	147/\$2,520	147/\$2,520	For filing a request for reexamination	[]	115/\$110	215/\$55	Extension for response within first month [†]	[]	116/\$390	216/\$195	Extension for response within second month [†]	[]	117/\$890	217/\$445	Extension for response within third month [†]	[]	118/\$1,390	218/\$695	Extension for response within fourth month [†]	[]	128/\$1,890	228/\$945	Extension for response within fifth month [†]	[]	119/\$310	219/\$155	Notice of Appeal	[]	141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application	[]	142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)	[]	143/\$440	243/\$220	Design Issue Fee	[]	122/\$130	122/\$130	Petitions to the Commissioner	[]	126/\$180	126/\$180	Submission of Information Disclosure Statement	[]	179/\$710	279/\$355	Request for Continued Examination (RCE)	[]	581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40 ✓	146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))	[]	149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))	[]	Other fee (specify):			[]	Other fee (specify):			[]	SUBTOTAL (3)			(\$ 40)
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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Eileen A. Lehmann	Reg. Number	39,272
Signature	<i>Eileen A. Lehmann</i>	Date	09/25/01

21216/05686/DOCS/1210018.1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Stewart K. Hester
	Title	Distributed Processor Modules And Persistent Storage In An Optical Network
	Atty Docket Number	21216-05686

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

09/25/01

Date

Eileen A. Lehmann

Signature

Eileen A. Lehmann, 39,272

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**